

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26410 of 2020

Arising Out of PS. Case No.-159 Year-2019 Thana- LAURIA District- West Champaran

1. Kapil Mahto, aged about 50 years, male, S/o Chokat Mahto
2. Ramlal Mahto, aged about 55 years, male, S/o Late Narayan Mahto
3. Sadhu Sharma @ Jai Prakash Sharma, aged about 25 years, male, S/o Pahalad Sharma

All are resident of Village-Baswariya, P.S.-Lauriya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 21-10-2020 Heard Mr. Sanjeev Kumar, learned counsel for the
petitioners and learned APP for the State.

The learned counsel for the petitioners seeks
permission to withdraw the applications with respect to
petitioner Nos. 2 and 3 as they have been arrested.

Permission is accorded.



The applications with respect to petitioner Nos. 2 and 3, viz., Ramlal Mahto and Sadhu Sharma @ Jai Prakash Sharma, are dismissed as withdrawn.

The petitioner No. 1/Kapil Mahto seeks bail in anticipation of his arrest in connection with Lauriya P.S. Case No. 159 of 2019, dated 21.09.2019, instituted for the offences under Sections 147, 149, 341, 323, 188, 288, 353, 504 and 427 of the Indian Penal Code.

While the police party was trying to remove the encroachment under the orders of this Court, many persons assembled at that place and one Imtiyaz Mian is said to have began throwing brickbats over the police team. The petitioner No. 1 is only stated to be the member of the unlawful assembly and no overt act has been attributed against him.

Some of the other accused persons of this case have been granted anticipatory bail, which fact has been stated in paragraph 8 of the bail application.

Regard being had to the facts afore-stated, the petitioner No. 1/Kapil Mahto, in the event of his arrest or



surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 159 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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